In the Claims

Applicant has submitted a new complete claim set showing marked up claims with insertions indicated by underlining and deletions indicated by strikeouts and/or double bracketing.

Please cancel claims 38-51, 53-62, 66-67, 70-74 and 76-89 without prejudice or disclaimer.

Please amend claims 6-9, 11-13, 17-23, 25, 28-29, 32 and 35-36 as noted below.

1. (Original) An oligonucleotide comprising:

5'$TCGX_1X_2N_1$3'

wherein X_1 is any nucleotide, X_2 is A, T, or C when X_1 is C or A, X_2 is A or G when X_1 is T, X_2 is any nucleotide when X_1 is G, N_1 is 2-95 nucleotides, wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, and wherein N_1 does not include an unmethylated CG motif.

2. (Original) An oligonucleotide comprising:

5'$TCGTN_1$3'

wherein N_1 is 3-96 nucleotides, wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein N_1 does not include an unmethylated CG motif and when N_1 is 16 nucleotides N_1 does not include a C_{12} and when N_1 is 8 nucleotides N_1 is at least 50% C or 70% T.

3. (Original) An oligonucleotide comprising:

5'$TCGAN_1$3'

wherein N_1 is 3-96 nucleotides, wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein N_1 does not include an unmethylated CG motif and when N_1 is 19 nucleotides N_1 is at least 55% pyrimidine, and when N_1 is 8 nucleotides N_1 is at least 50% T or C.

4. (Original) An oligonucleotide comprising:

5'TCG$N_1$3'

wherein N_1 is 10-96 nucleotides, wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein the C content of the oligonucleotide is less than or equal to 60%, and the A content is less than or equal to 30%, and wherein N_1 does not include an unmethylated CG motif.

5. (Original) An oligonucleotide comprising:

5'TYZ$N_1$3'

wherein Y is a cytosine or modified cystosine, wherein Z is a guanine or modified guanine, N_1 is 4-97 nucleotides, wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, and wherein the oligonucleotide does not include an unmethylated CG motif.

6. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein the oligonucleotide includes at least 1 modified internucleotide linkage.

7. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein the oligonucleotide includes at least 50% modified internucleotide linkage.

8. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein all internucleotide linkages of the oligonucleotide are modified.

9. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein the oligonucleotide is 20-100 nucleotides in length.

10. (Original) The oligonucleotide of claim 6, wherein the stabilized internucleotide linkage is a phosphorothioate linkage.

11. (Currently amended) The oligonucleotide ~~of any one~~ of claims 3 ~~or~~ 4, wherein the oligonucleotide has the following structure:

5' T*C*G*A*G*G*A*C*T*T*C*T*C*T*C*A*G*G*T*T 3' (SEQ. ID NO.: 50) and wherein * refers to a phosphorothioate linkage.

12. (Currently amended) The oligonucleotide ~~of any one~~ of claims 2 ~~or 4~~, wherein the oligonucleotide has the following structure: 5' T*C*G*T*T*T*T*T*T*T*T*T*T*T*T*T*T 3' (SEQ. ID NO.: 2) and wherein * refers to a phosphorothioate linkage.

13. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein N_1 is N_2N_3 and wherein N_2 is 8-94 nucleotides and N_3 is 2-5 pyrimidines.

14. (Original) The oligonucleotide of claim 13, wherein N_3 is TTTTT.

15. (Original) The oligonucleotide of claim 13, wherein N_3 is TT.

16. (Original) The oligonucleotide of claim 13, wherein N_2 is 8-40 nucleotides.

17. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein N_1 is at least 50% pyrimidine.

18. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1 [[-5]], wherein N_1 is at least 80% pyrimidine.

19. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein N_1 is free of Poly-A and Poly-G sequences.

20. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein N_1 is TN_2 and wherein N_2 is 8-94 nucleotides.

21. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein Y is selected from the group of modified cystosine bases consisting of 5-methyl cytosine, [[,]] 5-

methyl-isocytosine, 5-hydroxy-cytosine, 5-halogeno cytosine, uracil, N4-ethyl-cytosine, [[,]] and 5-fluoro-uracil~~, and hydrogen~~.

22. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein Z is selected from the group of modified guanine bases consisting of 7-deazaguanine, 7-deaza-7-substituted guanine (such as 7-deaza-7-(C2-C6)alkynylguanine), 7-deaza-8-substituted guanine, hypoxanthine, 2,6-diaminopurine, 2-aminopurine, purine, 8-substituted guanine such as 8-hydroxyguanine, and 6-thioguanine, [[,]] and 2-aminopurine~~., , and hydogen~~

23. (Currently amended) The oligonucleotide ~~of any one~~ of claims 1[[-5]], wherein the oligonucleotide has a 3'-3' linkage with one or two accessible 5' ends.

24. (Original) The oligonucleotide of claim 23, wherein the oligonucleotide has two accessible 5' ends, each of which are 5'TCG.

25. (Currently amended) A method for treating allergy or asthma, comprising:

administering to a subject having or at risk of having allergy or asthma an oligonucleotide ~~of any one~~ of claims 1[[-5]] in an effective amount to treat allergy or asthma.

26. (Original) The method of claim 25, wherein the oligonucleotide is administered to a respiratory tissue.

27. (Original) The method of claim 25, wherein the subject has or is at risk of developing allergic asthma.

28. (Currently amended) A method for inducing cytokine production, comprising:

administering to a subject an oligonucleotide ~~of any one~~ of claims 1[[-5]] in an effective amount to induce a cytokine selected from the group consisting of IP10, IL6, IL12, IL18, TNF, chemokines, IFN-α and IFN-γ.

29. (Currently amended) A method for treating infectious disease, comprising:

administering to a subject having or at risk of having an infectious disease an oligonucleotide ~~of any one~~ of claims 1[[-5]] in an effective amount to treat the infectious disease.

30. (Original) The method of claim 29 wherein the subject has or is at risk of having a bacterial infection.

31. (Original) The method of claim 29 wherein the subject has or is at risk of having a viral infection.

32. (Currently amended) A method for treating cancer, comprising:

administering to a subject having or at risk of having cancer an oligonucleotide ~~of any one~~ of claims ~~1~~1[[-5]] in an effective amount to treat cancer.

33. (Original) The method of claim 32, wherein the cancer is selected from the group consisting of biliary tract cancer, breast cancer, cervical cancer, choriocarcinoma, colon cancer, endometrial cancer, gastric cancer, intraepithelial neoplasms, lymphomas, liver cancer, lung cancer (e.g. small cell and non-small cell), melanoma, neuroblastomas, ovarian cancer, pancreatic cancer, prostate cancer, rectal cancer, sarcomas, thyroid cancer, renal cancer, bone cancer, brain and CNS cancer, connective tissue cancer, esophageal cancer, eye cancer, Hodgkin's lymphoma, larynx cancer, oral cavity cancer, skin cancer, and testicular cancer, as well as other carcinomas and sarcomas.

34. (Original) The method of claim 32, further comprising administering an anti-cancer agent.

35. (Currently amended) A method for inducing innate immunity in a subject, comprising:

administering to a subject an oligonucleotide ~~of any one~~ of claims 1[[-5]] in an effective amount to induce innate immunity.

36. (Currently amended) A method for inducing a Th1 immune response, comprising:

administering to a subject an oligonucleotide ~~of any one~~ of claims 1[[-5]] in an effective amount to induce a Th1 immune response.

37. (Original) A method of modulating an immune response in a subject, comprising administering to the subject an effective amount for modulating an immune response of an oligonucleotide comprising:

5'-X_1YRM_1-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide,

wherein X_1 is a nucleotide,

wherein Y is a cytosine or a modified cytosine,

wherein R is a guanine or a modified guanine,

and wherein M_1 is a nucleic acid of 1-3 nucleotides.

38-51. (Canceled).

52. (Original) A composition, comprising a multimerized complex of

an oligonucleotide comprising:

5'-X_2YRM_2-3'

wherein X_2 is a nucleic acid that consists of a single nucleotide, or a dinucleotide or a trinucleotide that does not comprise a CG dinucleotide, wherein Y is a cytosine or a modified cytosine, wherein R is a guanine or a modified guanine, wherein M_2 is a nucleic acid of 0-27 nucleotides, and

a multimerization unit linked to the 3' end of the oligonucleotide.

53-62. (Canceled).

63. (Original) An oligonucleotide comprising:

5'-X_3CGM_3-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein X_3 is a single nucleotide that does not comprise a CG dinucleotide,

wherein M_3 is a nucleic acid of 3-27 nucleotides that is free of a CG dinucleotide, and wherein M has at least one of the following properties: is free of a TC dinucleotide, is at least 30% T nucleotides, consists of A, T, and G or is free of a CCTTCC hexamer having at least one modified internucleotide linkage.

64. (Original) An oligonucleotide comprising:

5'-X_4CGM_4-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein X_4 is a dinucleotide that does not comprise a CG dinucleotide, wherein M is a nucleic acid of 2-26 nucleotides that is free of a CG dinucleotide, and wherein M_4 has at least one of the following properties: is free of a TG or a GT dinucleotide, is at least 38% T nucleotides or consists of A and T.

65. (Original) An oligonucleotide comprising:

5'-X_5CGM_5-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein X_5 is a trinucleotide that does not comprise a CG dinucleotide, wherein M_5 is a nucleic acid of 1-25 nucleotides that is free of a CG dinucleotide, and wherein M_5 has at least one of the following properties: is free of a CT dinucleotide and does not include at least one phosphorothioate linkage, is at least 41% T nucleotides, or consists of A and C.

66-67. (Canceled).

68. (Original) An oligonucleotide comprising:

5'-$TTGM_6$-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein M_6 is a nucleic acid that consists of 5-21 nucleotides, wherein M does not comprise a CG dinucleotide, wherein M_6 is comprised of at least 30% T nucleotides, and wherein said nucleotide is 10-24 nucleotides in length.

69. (Original) An oligonucleotide comprising:

5'-X_6CGM_7-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein X_6 is 1-3 nucleotides and does not include a CG dinucleotide, wherein M_7 is a nucleic acid of 6-27 nucleotides and includes at least three CG dinucleotides and is at least 50% T nucleotides.

70-74. (Canceled).

75. (Original) An oligonucleotide comprising:

5'-'TTGM_8-3'

wherein 5' designates the 5' end of the oligonucleotide and 3' designates the 3' end of the oligonucleotide, wherein M_7 is a nucleic acid of 6-18 nucleotides and includes at least one CG dinucleotide and is at least 50% T nucleotides.

76-89. (Canceled).